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MICHAEL RODAK, JR., CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1973

No. 73-74

JAMES R. HOFFA,
Petitioner,

vs.

United States of America,
Respondent.

REPLY TO MEMORANDUM FOR THE UNITED STATES

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The government relies solely on the opinions of the District Court and Court of Appeals without giving any reasons for their not wanting a hearing or any reasons why they were afraid to permit the taking of Partin's deposition. Thus, the government fails to explain why they opposed an evidentiary inquiry into the serious possibility that the government knowingly used perjured testimony to convict Hoffa, as suggested by Circuit Judge McCree.

Petitioner suggests that the record supports his allegations that the government knowingly used perjured testimony and that his conviction should be reversed. However, the only issue before this Court **now** is whether certiorari should be granted. In making this decision, petitioner submits that this Court need only determine at a minimum, whether it should review the lower court's refusals to permit a hearing and taking of Partin's deposition. Again, the government has not explained to this Court why they fought an inquiry, under oath, into the grave questions raised herein.

CONCLUSION

For the reasons stated herein, we respectfully submit that the petition should be granted.

Respectfully submitted

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